

FIFTEENTH DAY
(Tuesday, February 8, 1977)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

A quorum was announced present.

The Reverend Scott W. Johnson, First Cumberland Presbyterian Church, Austin, offered the invocation as follows:

Lord Jesus, all the world is Yours today
Texas is Yours, and her people are Yours
These here assembled and
The truckers on the highways, and
The nurses on hospital wards, and
The sailors on ocean vessels, and
Soldiers in alien camps, and
Kings and diplomats,
Beggars and thieves - all are Yours.

Remember this sovereign state, Lord, to which so much of the world looks with hope.

For the vision that inspired it, for the dedication of those who have labored for its well being, we thank You.

Be the Lord of Texas! Work Your will through this instrument of government, that it may become Your instrument. We are grateful that by the mysterious will that no one knows, You give us people of stature, and intelligence, and humility, and eloquence to lead the state in these days of demanding greatness.

Save us, Lord, from all malice in our political loyalties.

Teach us respect and charity toward those who differ from us in their convictions.

Go today, Lord, with these who labor here that they may speak the truth, and care for human lives and for the needs of people old and young, poor or rich, and give them, more than any other gift, the gift of patient wisdom and daring courage to win well being for the peoples of our state. Amen.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

REPORTS OF STANDING COMMITTEES

Senator Braecklein, Vice-Chairman, submitted the following report for the Committee on Human Resources:

S.B. 94

S.B. 319

S.B. 327

C.S.S.B. 51 (Read first time)

Senator Moore submitted the following report for the Committee on State Affairs:

S.B. 343
S.B. 284
S.B. 34 (Amended)
S.B. 117

**NOTICE RELATIVE TO LOCAL AND UNCONTESTED BILLS
CALENDAR**

February 7, 1977

Honorable William P. Hobby
President of the Senate

Sir:

Pursuant to **S.R. 32**, notice is hereby given that the Committee on Administration will not conduct a Local and Uncontested Calendar this week.

DON ADAMS, Chairman

SENATE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions were introduced, read first time and referred to the Committee indicated:

S.B. 516 by Truan, Traeger, Kothmann Education
Relating to the establishment of the University System of South Texas; changing the names of certain institutions of higher education; amending the titles of Chapter 104 and Subchapters C, D, and G of Chapter 104, Sections 104.01, 104.11, 104.14, 104.21, 104.41, 104.51, 104.91(a), and 104.93(a), Texas Education Code, as amended, and adding Section 104.15.

S.B. 517 by Jones of Harris Intergovernmental Relations
Relating to a court manager and coordinator system for certain county courts having criminal jurisdiction in certain counties; providing for qualifications, duties and salaries of court manager and coordinators; and declaring an emergency.

S.B. 518 by Jones of Harris Intergovernmental Relations
Authorizing enforcement of the Texas Clean Air Act by incorporated cities or towns within their extraterritorial jurisdiction; amending Sections 4.03, 5.01 and 5.02 of the Texas Clean Air Act (Article 4477-5, Vernon's Texas Civil Statutes).

S.B. 519 by Jones of Harris Intergovernmental Relations
Relating to ministerial practices and procedures in courts having jurisdiction over criminal matters in counties having a population in excess of 1,500,000 and nine or more courts in such county; providing for a presiding judge, selection of presiding judge, duties and responsibilities of presiding judge; providing for local rule making power of courts; and declaring an emergency.

S.B. 520 by Jones of Harris Intergovernmental Relations

Relating to the jurisdiction of city governments to prohibit the pollution of streams which constitute the source of water supply for such cities whether within or without the corporate limits of such cities; authorizing home-rule city governments to grant to their duly constituted boards, commissions and committees full subpoena and contempt powers and powers to administer oaths, to compel attendance of and examine witnesses; amending Article 1175, Revised Civil Statutes of Texas, 1925, as amended; by amending Subdivision 19, and by adding a new Subdivision 36; and declaring an emergency.

S.B. 521 by Jones of Harris, Doggett, Clower State Affairs
Relating to the creation of the office of ombudsman and its powers, duties, privileges, procedures, and qualifications; providing a penalty; and declaring an emergency.

S.B. 522 by Brooks Intergovernmental Relations
Relating to the creation, jurisdiction, administration, procedures, and terms of the Probate Court No. 3 of Harris County; giving the court primary responsibility for mental illness proceedings; providing for transfer of cases from the County Court of Harris and Harris probate courts; providing terms of the newly created court; providing for the appointment or election of the judge, his qualifications, powers, term of office, and compensation; and declaring an emergency.

S.B. 523 by Bracklein Jurisprudence
Relating to the execution of a sentence of death; amending Article 43.14, Code of Criminal Procedure, 1965.

S.B. 524 by Jones of Harris Jurisprudence
Relating to the appointment of special judge in certain courts; amending Article 30.03, Section 2, Code of Criminal Procedure, as amended; and declaring an emergency.

S.B. 525 by Truan Natural Resources
Relating to the election, appointment, qualifications, and compensation of directors of San Patricio Municipal Water District; amending Section 2, Chapter 373, Acts of the 52nd Legislature, 1951, as amended (Article 8280-145, Vernon's Texas Civil Statutes).

S.B. 526 by Harris State Affairs
Relating to activities exempted from the railroad commission's jurisdiction over common carriers; adding Subsection (3) to Section 1a, Chapter 314, Acts of the 41st Legislature, Regular Session, 1929, as amended (Article 911b, Vernon's Texas Civil Statutes).

S.B. 527 by Jones of Taylor Jurisprudence
Amending Section 2, Chapter 274, page 646, Acts of the 60th Legislature, Regular Session 1967, (Art. 5069-6.05(7), Vernon's Texas Civil Statutes), providing for a first lien on certain property.

S.B. 528 by Mauzy Intergovernmental Relations
Relating to local governments through agreement to provide all forms of insurance including self-insurance; that said self-insurance shall not be considered insurance for the purpose of any other statute of this state and not subject to the regulations of the State Board of Insurance; and declaring an emergency.

S.B. 529 by Farabee

Natural Resources

Adding Section 5.146 to the Water Code so as to exempt a person from obtaining a water permit when the water is to be used for drilling oil and gas wells; protecting water rights; providing that the exemption does not extend to certain other oil and gas field uses; providing for ceasing such use when ordered by the Commission and establishing penalties and injunctive relief to enforce Commission orders; and declaring an emergency.

S.B. 530 by Mengden

State Affairs

Relating to the method of voting at elections where names of nominees of political parties appear on the ballot; removing authorization for a voter to vote a straight ticket for a political party by making a single mark or punch or by operating a single lever or other mechanism; amending the following sections of the Texas Election Code: Subdivision 7 of Section 61, as amended (Article 6.05, Vernon's Texas Election Code); Section 62, as amended (Article 6.06); Section 8 of Section 79, as amended (Article 7.14); and Subdivision 4, Subparagraphs (b)(3), (b)(5), (c)(3), (c)(4), and (d)(1) of Subdivision 11, and Subdivision 12 of Section 80, as amended (Article 7.15); repealing Section 101a, Texas Election Code (Article 8.19a, Vernon's Texas Election Code).

S.B. 531 by Harris

Natural Resources

Adding the president of North Texas State University to the membership of the Natural Fibers and Food Protein Commission; amending Section 2, Chapter 474, Acts of the 47th Legislature, Regular Session, 1941, as amended (Article 165-4a, Vernon's Texas Civil Statutes).

S.B. 532 by Harris

State Affairs

Amending Sections 18, 35 and 36 of Article 8451a, Vernon's Annotated Civil Statutes of Texas, to allow educational cosmetology programs without temporary licensing of participants under certain conditions, to remove the requirement of blood tests for licensing, and to provide for temporary permits for cosmetology demonstrations outside of licensed shops, and declaring an emergency.

S.B. 533 by Hance

Jurisprudence

Relating to the admissibility of certain evidence in trials on appeal of workmen's compensation awards; adding Section 5d to Article 8307, Revised Civil Statutes of Texas, 1925, as amended.

S.B. 534 by Hance

Jurisprudence

Relating to workmen's compensation benefits for subsequent injuries; adding Section 12c-3 to Article 8306, Revised Civil Statutes of Texas, 1925, as amended.

S.B. 535 by Moore

State Affairs

Relating to certain definitions, license and disclosure requirements, and prohibitions established by the Texas Motor Vehicle Commission Code; amending Subdivision (8), Section 1.03, Subsection (d), Section 4.02, Subsection (c), Section 4.03, Subsection (c), Section 4.06, and Subdivision (9), Section 5.02, Chapter 51, Acts of the 62nd Legislature, Regular Session, 1971, as amended (Article 4413(36), Vernon's Texas Civil Statutes); and declaring an emergency.

S.B. 536 by Aikin

Finance

Authorizing the Public Utility Commission to transfer certain appropriations; making a supplemental appropriation.

S.B. 537 by Aikin

Finance

Relating to the appropriation of supplemental sums of money for the fiscal year ending August 31, 1977, to pay the additional cost of purchased utilities (nontransferable) at certain institutions of The University of Texas System; and declaring an emergency.

S.B. 538 by Brooks

Human Resources

Relating to restrictions on admission of patients for alcoholic treatment to state mental hospitals; adding Section 9A to Chapter 411, Acts of the 53rd Legislature, Regular Session, 1953, as amended (Article 5561c, Vernon's Texas Civil Statutes).

S.B. 539 by Brooks

Human Resources

Relating to recommendations by community mental health and mental retardation centers of treatment alternatives for potential patients of state mental hospitals; amending Section 32, Chapter 243, Acts of the 55th Legislature, Regular Session, 1957 (Article 5547-32, Vernon's Texas Civil Statutes), by adding Subsection (c).

S.B. 540 by Jones of Harris

Jurisprudence

Relating to the right of certain probation officers to carry handguns and certain other weapons; amending Section 46.03, Penal Code.

S.B. 541 by Brooks

Human Resources

Relating to prerelease arrangements for follow-up and outpatient care for a patient released from a state mental hospital; adding Subsection (e) to Section 80, Chapter 243, Acts of the 55th Legislature, Regular Session, 1957 (Article 5547-80, Vernon's Texas Civil Statutes).

S.J.R. 41 by Hance

State Affairs

Proposing a constitutional amendment to provide for periodic special sessions to consider the continuation or abolition of certain state agencies.

S.C.R. 35 by Mauzy

Education

Designating March 15, 1977, as PTA Day at the Legislature.

PRESENTATION OF GUEST

The President introduced Lic. Jose Najera G., Consul de Mexico, to the Members of the Senate.

PRESENTATION OF GUEST

The President introduced Harry Middleton to the Members of the Senate. Mr. Middleton addressed the Senate, inviting the Members to attend the "America" display now at the Lyndon Baines Johnson Library.

PRESENTATION OF GUESTS

Senator Patman introduced Mrs. Stuart Long and members of her family to the Members of the Senate.

ESCORT COMMITTEE APPOINTED

The President appointed Senators Patman, Doggett and Moore to escort Mrs. Long to the President's rostrum.

Mrs. Long was presented an enrolled copy of Senate Resolution 126, in memory of her husband, Stuart Long.

Senator Patman then requested that the following tribute by Stuart Long's close personal friend and longtime professional associate, Mary Jane Bode, be included in the official record of the Texas Senate as an extension of the Senate's tribute to the memory of Stuart Long.

STUART LONG

Everyone who knew him had a different vision of Stuart Long. And each has his or her own story to tell. Because this perceptive but gentle man had a way of touching the lives of those with whom he came in contact.

But all who knew him before he passed to perfect peace on Thursday, February 3, 1977, shared a single-word description, "Friend."

For Stuart Morrison Long perfected the art of friendship. A news writer, he wrote "tight copy" — no frills, no fancy polysyllabic words that necessitated definition. He wrote so that he could be understood. His interest solely was in communicating news about government to the readers of some 30 daily newspapers, including the *New York Times*, the followers of his Austin Report, and the listeners of radio stations all over Texas.

It was his habit, from the time he started Long News Service until declining health forced him into retirement last year, to be on hand in these halls for the first committee hearing of the day and the last committee debate at night, and cover a dozen events in between. He wrote the news as it happened and literally told it like it was. A Long news story never was superficial. He knew the players in the drama of politics and the behind-the-scenes intrigues which too often go unmentioned.

Stuart Long strived to be a good Christian in his service as elder in Central Christian Church in Austin and in his daily life. But he made it his business to study about other religions and respected every person's right to choose a way to serve God and brethren.

Stuart Long was a patriot. He loved his country with the special devotion of a student of government, and he welcomed the chances to demonstrate his fealty — as a Marine in World War II; as a commander of Knebel American Legion Post 83 in Austin; as president of the American Veterans' Committee here; and as a member of the President's Water Pollution Control Advisory Committee to which he was appointed by his good friend, the late Lyndon Baines Johnson.

And this dedication to country extended to the state he "adopted" 50 years ago — Texas. For though he was born in Portales, New Mexico, on November 15, 1913, Stuart Long became such an ardent Texan that many persons thought him typical. One of the proudest moments of his tapestried life was when he was appointed to serve on the State School Land Board; first by the late Crawford Martin, and twice reappointed by Attorney General John Hill.

Stuart Long was a husband, a fact which enriched him often but never more demonstrably than in the last 18 months when his love and trusted companion, Emma Jackson Long, was at his side. Stuart and Emma were true partners in life, sharing each other's hopes and dreams, sharing friends, and sharing as the parents of two sons — Jeb Long of La Crescenta, California, and Jeff Long of Austin — and as grandparents to granddaughter, Vickie. Stuart was part of a large and loving family, including his brother, J. M. (Menefee) Long of Rotan, Texas.

Stuart Long was a Democrat, a former member of the State Democratic Executive Committee, chairman of Precinct 232 and a member of the Travis County Democratic Executive Committee for more than 3 decades.

And he was a learned man. He wasn't smart just because he attended Abilene High School, Simmons College (now Hardin-Simmons University) and graduated from The University of Texas. But he always said there were teachers in those places, including his mother, also a teacher, who engendered in this reed-slender fellow a voracious appetite for learning. As one writer put it, "Stuart was a rare breed — he was a true generalist and could discuss everything from thermonuclear fusion to the art of cutting firewood." He never was the kind of reporter who would shirk the complex subjects, and he consequently became a highly respected writer in the fields of water resources, water conservation and other areas relating to science and technology.

Oh, and yes, Stuart Long was a journalist. He started writing about state government when James Allred was in the executive office, and he interviewed and covered virtually every famous Texan having anything to do with government for nearly 40 years. He knew and wrote about five presidents. In collaboration with Flora Rheta Schreiber, he wrote special features for *Good Housekeeping*, *Modern Maturity*, Bell Syndicate and United Features. With Sam Kinch, Sr., he authored a fine book about Allan Shivers, "The Pied Piper of Texas Politics." He was a member of the American Newspaper Guild as well as the International Typographical Union, he was a Headliners Club board member, and he served as president of both the Austin chapter and the State association of Sigma Delta Chi, the journalism fraternity. But his greatest contributions to his profession were his work, the quality and character of which served as an inspiration to fellow journalists, and his patient coaching, not only of the students who always were on his payroll, but other neophytes as well. One now well-established Capitol reporter recalls that "when I joined the Capitol press years ago, Stuart Long treated me with kindness and respect. I've tried to treat other young newcomers the same way."

For above all else, Stuart Long was a friend. He was a friend to the young, whom so many fail to notice; to the old, whom so many forget; to the poor...and, to the rich. For he gave of himself. If you needed help, a job, a loan, a strong shoulder to the wheel, you could count on him. If you needed an ear, he'd let you have that, too. If you needed confidence, he'd help you learn to trust yourself.

Stuart Long cut such a huge swath that it will take some time and energy (perhaps by more than just one person) to fill the vacuum left now that he is gone from this place.

A man of mammoth proportions will have to be found to match the magnificent life and career of this man.

MARY JANE BODE

PRESENTATION OF GUEST

Pursuant to unanimous consent granted Senator McKnight on yesterday, the President introduced Congressman Bob Krueger of the 21st Congressional District of Texas who addressed the Members of the Senate and distinguished guests assembled as follows:

CONGRESSMAN KRUEGER: Mr. President, Mr. Speaker, Members of the Senate and the House, it's a very great honor for me to be invited here to talk with you this morning, and I am frankly a little bit nervous. You know, there's nothing quite like having to speak among your own friends on your home turf to make you wonder about whether you can live up to the honor of being allowed to address, but I do appreciate this honor very deeply.

I'm here this morning to talk with you about what I think is going to be an immensely significant year for the State of Texas. Because I believe that this year,

more than any other year in recent times, we are likely to see the future economic destiny of our state shaped by energy legislation that is likely to emerge from Washington.

The crucial thing, then, will be, if such legislation comes about, that Federal and State Government work together to see to it that whatever energy policy is fashioned, both for our nation, and for our state, will work as harmoniously as possible. In other words, that we can work together to create a policy that will be fair both to Texans and to people all across the country.

This is not a time at which we will be able, either in Austin or in Washington, to right all the old wrongs. We have had, particularly with regard to natural gas, two markets for too long a period of time, and there's bound to be some clashing as those markets come together.

I think we can, none the less, shape energy policy that will work for a combined national and state good. And I should like today to talk with you about this.

What I would hope to do is first to sketch in some of the background for our Legislation in Washington, and then to suggest some particular areas of concern that I think can best and can indeed be only addressed in Austin, rather than in Washington.

It's no news that the South and the Southwest has for a very long period of time been looked on as a land of cotton and corn and cattle, and maybe a bit of oil and gas. And if we in this part of the country have been looked on to provide the raw resources for other parts of the country that in turn have engaged in the manufacturing and the refinement of those goods so that we have provided the raw substance, and they in turn have had the manufactured products. We also know what the standard of income has been if we compare the South and Southwest with the North. It has been lower because they have been able to take our raw products.

That kind of pattern of internal colonialism has existed here just as we have seen colonialism around the world. But in the same way that we are beginning to see those former colonial countries around the world begin to charge more for their raw product, whether it's cotton, or oil, or chromium or titanium, or whatever, so in the same way we in this part of the country have only recently begun to move toward getting a fair value for the products that we produce that the rest of the country needs.

As we've done so, we are necessarily encountering certain problems. We have had available here in Texas an adequate energy supply for a long period of time, and in part because of that energy supply we have seen increased industry and jobs move into our state.

In fact, only a few weeks ago, the population in the U.S.A. shifted so that for the first time the so-called Sun Belt States, a line from the Northern part of North Carolina swinging across through Midway in California, for the first time the Sun Belt States have an actual majority of our population.

Now, in this country, America with only six percent of the world's population, has each day used one-third of the world's energy that was being consumed. And that kind of profligate use of energy was made available because by and large, and in real constant dollar terms, the cost of energy in recent years had been going down rather than up.

Throughout the 1960's the net real cost of energy was declining in the U.S.A. rather than increasing. And if we talk about energy and energy policy for this nation, we need to be clear about what it is we are really talking about. And I want to repeat here a conversation that I had in the Energy and Power Subcommittee about a year ago with a very well known national consumer advocate who appeared before our Committee to argue for lower prices for oil and gas. And I asked this gentleman, "Now, I've heard your conversation about energy policy and the need for lower prices, and I'd just like to review with you where we currently get our

energy. Now, it's — it's my understanding that currently we get one and one-half percent of our energy from nuclear sources. Would you like to see more nuclear energy?" And I thought I knew where he stood on that, and he said, "No!" And I said, "Okay! We've got one and one-half percent." I said, "Now, we've got one and one-half percent from firewood, do you want to cut down any more trees?" And this environmentalist said, "No." And I said, "Okay, we have three percent." I said, "Now, we've got four percent from hydroelectric, do you know any wild and scenic rivers you'd like to dam?" And the gentleman said, "No!" And we were up to seven percent. I said, "We get sixteen percent of our energy from coal, and no doubt we'll start using more, but there are problems in the acquisition of coal out of the ground. And there are problems in the burning of coal because of pollution, and even so, we may increase it, but that's fifteen percent. Now we're up to twenty-three percent. I said that leaves seventy-seven percent of this nation's energy coming from oil and gas."

"Now, do you have any suggestions on how to increase the production of oil and gas?" And he said, "No!" And that is one of the central questions that we must address. What kind of policies will give us the necessary domestic energy independence? In other words, what kind of policies will allow us to develop the oil and gas reserves that currently provide seventy-seven percent of this nation's energy. Because right now over forty percent of our oil is imported from overseas, and those are countries that have no record of political stability that we would wish to rely on. And if we had an oil embargo today comparable to that in 1973 it would cost us directly \$40 billion in gross national product.

So, the question is today as much supply and availability as it is price. A low price doesn't help if you haven't got any. And that's the way, increasingly, the interstate market on natural gas has gone. Increasingly, they have been running out of supplies.

In fact, they've been running out at such a rate that over the last ten years on average, we have each year used up twice as much gas as we have found in new reserves. And it's like living off your seed corn, you can't continue to eat your seed corn and expect to have anything for next year's crop.

That's where we are in terms of national policy, and obviously the current cold winter, which some of us foresaw in earlier periods when we were having unusually warm winters and people said we don't need to do anything because the winter's so warm, this current cold winter has brought home to the whole nation the crisis in natural gas supply.

Now, we can't kid ourselves in this state, we are only going to have, as I see it, one of two choices. We will either have to deregulate the wellhead price of gas — of new gas, all across the country, or, we will have Federal controls exerted over our intrastate as well as the interstate market. The two-market system cannot continue to last because only the free market system in this state has provided adequate supply, while the Federally regulated system has provided inadequate supply at a lower price. And this year I think it's inevitable that those two questions will come into conflict in Washington. The debate will occur, I believe, that President Carter's commitment, in his letter to Governor Briscoe for the deregulation of new gas, will not only be upheld but will pass in the Congress. But it will be a very hard battle, and it is a crucial one.

It's important that our consumers understand that out of the price that is paid for interstate gas, for example, by a consumer in New York, out of \$3 in New York the consumer pays, \$2.30 goes to the distribution system inside New York City, \$.40 goes to get the gas up from Texas, and only \$.30, or ten percent actually goes to the producer. That's what we're talking about when we talk about deregulating. Not that ninety percent, but that ten percent that is going to put gas in at one end of the pipeline.

Texas isn't, though, only the largest producer of natural gas in the country, it is the largest consumer of natural gas. And it is today necessary for us to address the problems of Texas consumers in Texas as there is national legislation going on in Washington.

I'd like you, for a moment, please, to picture with me a map of the U.S.A. because I want to suggest to you just how important natural gas is to the economy of our state.

Natural gas is, first of all, the largest single source of energy for industry in the United States of America. And if we picture a map of the U.S.A., and start off and take all the New England States, New York, New Jersey, and Pennsylvania, and Ohio, and Illinois, and Indiana, and Michigan, and jump over the West Coast and get California, Oregon and Washington, we put together all of the industry in all of those states, and put together all of the gas used by industry and utilities in those states, it is not equal, ladies and gentlemen, to the amount of gas that Texas uses for its industry and utilities.

Now, if there's a gas shortage, and the Federal government has the power to allocate gas supplies during a gas shortage, and we have one federally controlled —

Federal Power Commission controlled — market, what is going to happen, ladies and gentlemen, to the economy of the State of Texas? We will suffer most, we will be in the biggest depression of any state in the U.S.A., because we are most dependent on gas and when gas is allocated, the first use that goes is utilities, the next use that goes is industry, and it could do us just an incredible amount of damage and depression.

We cannot allow that situation to happen. Currently it does not happen because we have the two markets, but the two markets are not going to stay. We will either wind up with Federal control throughout, or we will wind up with deregulation. There is just not going to be any other alternative.

Now, how close are we to Federal allocation of gas supplies? When Dr. Schleissinger appeared before our Energy and Power Sub-committee, he said, we will not touch intrastate gas to allocate any. There is nothing in President Carter's bill to offer any intrusions into the intrastate market.

Chairman Staggers on our Interstate and Foreign Commerce Committee said there is no intrastate gas, there is no such intrusion. But what happened was that after the House passed the bill, which was a good bill, and then went into conference with the Senate, a Senate staff member added language that was not in either bill, it was not found out — I didn't find it until fifteen minutes before we went back to the floor, I was not on the Conference Committee, and — and I found it fifteen minutes before we went to the floor, and this — these fifteen words that were added would give the President authority to allocate so-called Henshaw gas, which is to say gas that is produced, for example, in Texas, travels on an interstate pipeline, and is taken back out in Texas. That language was added. The President now would appear to have that authority, although I engaged in a colloquy on the floor that I hope will prevent that...but, in any case, some of the other so-called Henshaw gas that has crossed other states can now be allocated by the President.

My point is, that it would appear we already have an incursion into the intrastate market. And when the power to allocate gas is there, so is the power to allocate jobs, so is the power to allocate the resources and the wealth from one state to another.

We in this state, have over the years, and the consumers and citizens of our state have over the years made the investment necessary to bring on the reserves in the State of Texas to provide for our own needs, and we're all familiar with the old story of the ant and the grasshopper. The ant all summer long was storing away for a cold winter. Meanwhile the grasshopper was fiddling, and singing and dancing, all summer long. And along came a cold winter and the grasshopper came to the door

of the ant, and the grasshopper said, knock, knock, let me in, I want to share in what you've been storing up all summer. And the ant said, what were you doing all summer? And he said, well, I was fiddling, and dancing, and singing. And he said, well, why weren't you storing up your — your food? And he said, well, because I was fiddling, and dancing, and singing. And he said, what will you do next summer? And he said, I will fiddle, and dance, and sing. Now, we've got to make sure that Congress doesn't fiddle, and dance, and sing, and that we don't continue to have the kind of two-market system in which the interstate market has not set up reserves for the future because they were unwilling to make the necessary investment to look after their future needs.

We in our state have done so. They in their states, because of Federal regulation, have not.

It's my judgment that deregulation of the wellhead price of interstate natural gas will pass this Congress. There's one gentleman from a very large Northern industrial state that last year had only one Democrat vote for my deregulation bill, which came to the floor almost a year ago today. He was the only one to vote for it; the rest of his delegation all voted against. He came to me three weeks ago and said, "Bob, if you can bring up deregulation legislation now," he said, "my entire state delegation will vote for it."

President Carter has indicated his support for it. But now, what is the effect on Texas...if we get deregulation of the wellhead price of new natural gas? Here I think is where the action must come out of Austin, rather than Washington. Because there will be a tendency, if deregulation comes, for the price to rise. We have this vast, voracious interstate system that has been starved for gas for a very long period of time. On the other hand, we have supply and demand fairly closely in balance in the intrastate system where we've not had Federal price controls. That big interstate appetite is going to come in and seek to take away whatever surplus gas we might have and whatever new gas is possible to bring on. And in that circumstance what we are likely to find is that the so-called redetermination contract, or favored nation contracts, in Texas are likely to be triggered by the new higher price that the interstate markets will be bidding. And here is something that is, in my view, just fundamental for the State of Texas to address itself to. That is, probably, according to the information that I received, eighty to ninety percent of the contracts for natural gas in the intrastate market in this state, have so-called redetermination or favored nation clauses. What these clauses mean is that if Producer "A" over here has sold his gas for \$1, Producer "B" and "C", and "D" and surrounding fields later are given the opportunity to sell their gas for \$1.25, or \$1.50, if these "B, C and D" contracts continue for a year or two, automatically the price of the field "A" at \$1 is triggered up to the higher level.

Now, this was a kind of clause that was put in to protect the producer at a time in which the pipelines had monopolistic power, so that they were able to set pretty well what price they would because the producer could only get his gas, perhaps, to one single pipeline purchaser. It may have made sense in that context, it probably made sense at a time in which we thought we had abundant natural gas supplies, but today, with the big interstate market potentially coming in to bid on our gas, we are likely to see those contracts triggered up to a very, very high and extremely high —

I would say unacceptably high level. Because the interstate markets still have their gas on average at \$.43 per MCF, and if they bid 350 for marginal gas, and blend in the 350 with the \$.43 gas, it's still not going to be as high as our intrastate gas is.

What we therefore are going to have to see is something done to address the question of these renegotiation contracts.

I would say that either the Railroad Commission, or this body, would need to address itself to the question of these redetermination contracts because without those questions being addressed, the prices to the people whom you represent, once

we get deregulation, which is in my judgment the only thing we can get unless we want Federal Allocation, once we get deregulation, these prices are likely to escalate very, very fast, and it has to be addressed, in my judgment, here because if we try to address it from Washington we'll just foul it up. We've got a good history of that.

The second point is I think that so-called take or pay contracts probably also need to be addressed. Again these take or pay contracts came in at a time when we were assuming abundant natural gas supplies. We now face natural gas shortages. I don't think they're as big a question as the redetermination clause is, but take or pay contracts whereby in order for the producer to be assured of a certain cash flow, he told the pipeline purchaser either you have to take such and such an amount of gas, you have to pay for it anyway, means that the pipeline purchasing it is likely to have to take that gas and put it to uneconomic uses such as boiler fuel and other things.

We, of course, in this State get ninety-five percent of our electricity now from boiler fuel. There's no question that we will have to phase out that use. We cannot afford to use such a precious resource as natural gas simply to produce electricity. It's far too wasteful, and we can't continue it.

But the reason that we have not had any incentive to change over faster than we have is quite simply that natural gas has been so grossly underpriced.

Finally, there is of course the question of possible state wellhead price regulation. Let's not kid ourselves. If we start regulating the price out of Austin for state — well, intrastate gas, what is going to happen is one of two things. Either intrastate gas will be regulated at a lower price than interstate gas, in which case all the gas will leave the state, and any fuel we substitute for gas is vastly more expensive. Or you will set the price higher than the interstate market, and if you set it higher none of the gas will leave and at that point they will come in with the Federal system and allocate gas in times of shortage.

So, state wellhead regulation simply is not going to be an acceptable answer.

Allocation is going to be inevitable if we insist on the Federal government setting the price for a product, because it will set it so low that we will not get adequate supplies.

We are not elected to our offices in order to make easy decisions, there is no way out of this very difficult morass without some pain, the pain will be experienced by those of us in Texas, as it is currently being experienced in Pennsylvania, Ohio, New York, and many other states.

Higher costs in short run to intermediate term are inevitable, we will not escape that. What we have to do is see to it that as these changes come, they come in as balanced and reasonable and fair a way to the Texas consumers who have made the investment to produce the energy they need as we possibly can.

We are trying to get out of a period of colonialism. The pains of colonialism, of enslavement are well known to the South, the pains of being a colony to the North, are equally well known. We can't continue that kind of colonialism, we can't continue to provide our energy to other States of the Union at prices lower than what the market would set it at.

These pains are going to be with us. We have to get beyond them. In order to get beyond them, we need to work together out of Washington and out of Austin to see to it that a fair, and just, and reasonable approach for the citizens of Texas, as well as for the people of the United States is found. We in Texas are proud that in the last and the Second World War we provided seventy-five percent of the oil and gas for all of the Allied Nations. We are proud to have resources that we wish to share with other places. All that we want is for those people to pay us as much for our resources as we pay ourselves. And in the process, as we share those resources, we're going to need protection for the people back home who made the investment for the ants as well as the grasshoppers.

Ladies and gentlemen, thank you very much.

AT EASE

The President announced at 11:01 a.m. the Senate would stand At Ease pending the departure of guests.

IN LEGISLATIVE SESSION

The President called the Senate to order as In Legislative Session at 11:03 a.m. today.

**MOTION TO PLACE
COMMITTEE SUBSTITUTE SENATE JOINT RESOLUTION 1 ON
SECOND READING**

Senator Creighton moved that Senate Rules 12 and 89 and Section 5 of Article III of the State Constitution be suspended and that **C.S.S.J.R. 1** be taken up for consideration at this time:

C.S.S.J.R. 1, Proposing an amendment to Article VIII, Section 1-d, of the Texas Constitution, to authorize separate appraisal formulas to promote preservation of land devoted to farm, ranch and forest purposes.

The motion was lost by the following vote (Not receiving four-fifths vote of the Members of the Senate): Yeas 24, Nays 6, Present-Not Voting 1.

Yeas: Aikin, Andujar, Brooks, Clower, Creighton, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, McKnight, Meier, Mengden, Moore, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Williams.

Nays: Adams, Braecklein, Doggett, Mauzy, Ogg, Truan.

Present-Not Voting: Longoria.

REASON FOR VOTE

I am forced to disqualify myself from voting on **S.J.R. 1** for the reason that I have some land within the city limits of the City of Pharr that is being farmed at the present time but is potential subdivision land.

LONGORIA

COMMITTEE SUBSTITUTE SENATE BILL 77 ON SECOND READING

Senator Harris asked unanimous consent to suspend the regular order of business and Section 5 of Article III of the State Constitution to take up for consideration at this time:

C.S.S.B. 77, Amending Section A, Part I, Article 3.39, Insurance Code, as amended, to provide that a domestic life insurance company may invest its several funds and accumulations in corporate first mortgage bonds, notes and debentures, and in other bonds, bills of exchange, or other commercial notes or bills or

obligations of corporations meeting standards and specifications as set out in Paragraph 10 and in debentures of public utility corporations meeting certain standards and earning a specified amount in relation to interest payable as set out in Paragraph 13; and declaring an emergency.

There was objection.

Senator Harris then moved to suspend the regular order of business and Section 5 of Article III of the State Constitution and take up **C.S.S.B. 77** for consideration at this time.

The motion prevailed by the following vote: Yeas 26, Nays 5.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, McKnight, Meier, Mengden, Moore, Ogg, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Nays: Clower, Doggett, Mauzy, Parker, Patman.

The President then laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time and was passed to engrossment.

RECORD OF VOTES

Senators Doggett, Hance, Mauzy, Clower, Patman, and Sherman asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 77 ON THIRD READING

Senator Harris moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 77** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 5.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, McKnight, Meier, Mengden, Moore, Ogg, Parker, Santiesteban, Schwartz, Snelson, Traeger, Truan, Williams.

Nays: Clower, Doggett, Mauzy, Patman, Sherman.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 25, Nays 6.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Farabee, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, McKnight, Meier, Mengden, Moore, Ogg, Parker, Santiesteban, Schwartz, Snelson, Traeger, Truan, Williams.

Nays: Clower, Doggett, Hance, Mauzy, Patman, Sherman.

SENATE BILL 78 ON SECOND READING

Senator Harris asked unanimous consent to suspend the regular order of business and Section 5 of Article III of the State Constitution to take up for consideration at this time:

S.B. 78, A bill to be entitled An Act amending Article 3.40, Insurance Code, as amended; relating to investments by insurance companies in certain securities; permitting such companies to acquire, secure, hold, retain, and convey certain mineral interests and royalties, including producing and overriding royalties as specified under the conditions set out in Subsection 5 of the amended article; restating the remainder of Article 3.40 in its entirety, as last amended, with no further change whatsoever repealing all laws in conflict therewith; and declaring an emergency.

There was objection.

Senator Harris then moved to suspend the regular order of business and Section 5 of Article III of the State Constitution and take up **S.B. 78** for consideration at this time.

The motion prevailed by the following vote: Yeas 25, Nays 6.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, McKnight, Meier, Mengden, Moore, Ogg, Parker, Santiesteban, Schwartz, Snelson, Traeger, Truan, Williams.

Nays: Clower, Doggett, Longoria, Mauzy, Patman, Sherman.

The President then laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time and was passed to engrossment.

RECORD OF VOTES

Senators Mauzy, Clower, Doggett, Patman, and Sherman asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

SENATE BILL 78 ON THIRD READING

Senator Harris moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 78** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 6.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, McKnight, Meier, Mengden, Moore, Ogg, Parker, Santiesteban, Schwartz, Snelson, Traeger, Truan, Williams.

Nays: Clower, Doggett, Longoria, Mauzy, Patman, Sherman.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 24, Nays 7.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Farabee, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, McKnight, Meier, Mengden, Moore, Ogg, Parker, Santiesteban, Schwartz, Snelson, Traeger, Truan, Williams.

Nays: Clower, Doggett, Hance, Longoria, Mauzy, Patman, Sherman.

SENATE BILL 382 ON SECOND READING

Senator Sherman asked unanimous consent to suspend the regular order of business and Section 5 of Article III of the State Constitution to take up for consideration at this time:

S.B. 382, Relating to a sales and use tax exemption for items sold at certain sales by charitable organizations; amending Article 20.04, Title 122A, Taxation—General, Revised Civil Statutes of Texas, 1925, as amended, by adding Section (GG).

There was objection.

Senator Sherman then moved to suspend the regular order of business and Section 5 of Article III of the State Constitution and take up **S.B. 382** for consideration at this time.

The motion prevailed by the following vote: Yeas 29, Nays 2.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Nays: Clower, Mauzy.

The President then laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time and was passed to engrossment.

RECORD OF VOTE

Senator Mauzy asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

SENATE BILL 382 ON THIRD READING

Senator Sherman moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 382** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Nays: Mauzy.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time.

By unanimous consent, Senator Sherman offered the following committee amendment to the bill:

Amend **S.B. No. 382** as follows:

1. On page 1, lines 3 and 10 substitute the phrase "religious, educational, charitable or eleemosynary" for the word "charitable".
2. On page 1, lines 13 and 16, delete the word "charitable".
3. On page 1, line 14, substitute the word "The" for the phrase "A charitable".
4. On page 1, line 16, insert between the "." and the word "If" the following sentence: "The organization may employ an auctioneer to conduct the auction and pay the auctioneer a reasonable fee."

The committee amendment was read and was adopted.

On motion of Senator Sherman and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The President then laid the bill before the Senate on its third reading and final passage.

The bill as amended was passed by the following vote: Yeas 30, Nays 1.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Nays: Mauzy.

SENATE BILL 360 ON SECOND READING

On motion of Senator Moore and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 360, Amending Section 4 (2) of Chapter 166, Acts of the 63rd Legislature, Regular Session, as amended by Chapter 143, Acts of the 64th Legislature, Regular Session (Article 1435 a, Vernon's Texas Civil Statutes) by adding a provision to said Section 4 (2) to prohibit the exercise of the power of eminent domain for the purpose of taking oil, gas, lignite, coal, sulphur, uranium, plutonium, or any mineral, whether in place, or in the process of being mined and produced, or whether mined and produced, for use in connection with the acquisition, ownership, operation and maintenance of an electric facility; providing that such prohibition shall supercede any contrary authority conferred or granted, express or implied, in or by any other statute, containing a severability clause; and declaring an emergency.

The bill was read second time.

Senator Clower offered the following amendment to the bill:

Amend Senate Bill No. 360 by striking all below the enacting clause and substituting the following:

Section 1. Subdivision (4), Section 2, Chapter 166, Acts of the 63rd Legislature, Regular Session, 1973 (Article 1435a, Vernon's Texas Civil Statutes), is amended to read as follows:

"(4) 'Electric facilities' means any facilities necessary or incidental to the generation of electric power and energy or the transmission thereof, including electric generating units, electric generating plants, electric transmission lines, plant sites, rights-of-way, and real and personal property and equipment and rights of every kind necessary ~~useful~~ in connection therewith."

Sec. 2. Subdivision (2), Section 4, Chapter 166, Acts of the 63rd Legislature, Regular Session, 1973 (Article 1435a, Vernon's Texas Civil Statutes), is amended to read as follows:

"(2) Each participating public entity and each participating private entity shall have the right and power to acquire, for the use and benefit of all participating entities, by purchase or through the exercise of the power of eminent domain, lands, easements, and properties for the purpose of jointly owned electric facilities, and shall have the power to transfer or convey such lands, easements, and properties, or interests therein, or otherwise to cause such lands, easements, and properties, or interests therein, to become vested in other participating entities to the extent and in the manner agreed between the participating entities. In all cases in which a participating entity exercises the right and power of eminent domain conferred hereby, it shall be controlled by the law governing the condemnation of property by incorporated cities and towns in this state, and the right and power of eminent domain hereby conferred shall include the right and power to take the fee title in land so condemned, except that no participating entity has the right or power to take by the exercise of the power of eminent domain any electric facilities, or interest therein, belonging to any other entity, or the power to take land or any interest therein, by exercise of the power of eminent domain, for the purpose of drilling for, mining, or producing any oil, gas, geothermal, geothermal/geopressured, lignite, coal, sulphur, uranium, plutonium, or other mineral, belonging to another, whether the same be in place, or in the process of being mined and produced, or mined or produced. Provided, however, this provision shall not impair the right of any such entity to acquire full title to real property for plant sites, including cooling ponds and related surface installations and equipment."

Sec. 3. Subsections (o) and (r), Section 4a, Chapter 166, Acts of the 63rd Legislature, Regular Session, 1973, as amended (Article 1435a, Vernon's Texas Civil Statutes), are amended to read as follows:

“(o) The agency may adopt, and from time to time amend, rules and regulations to govern the operation of the agency, its employees, facilities, and service, but contracts for the construction of improvements which involve the expenditure of more than \$20,000 shall be awarded by the agency only after notice of intent to receive competitive bids has been published once a week for two consecutive weeks in a newspaper of general circulation in the state, the date of the first publication being at least 14 days prior to the date set for the receipt of bids, but contracts awarded by another entity ~~for agent thereof~~, which is a joint owner of the facilities to be constructed or an agent of any of the joint owners shall be let under its contracting procedures. An entity may negotiate and enter into contract for the purchase of electric energy from the agency and payments for such energy purchased shall be an operating expense of the electric system of the purchaser.”

“(r) Bonds and notes issued under the provisions of this Act, and coupons, if any, representing interest thereon, when made payable from (i) revenues of the agency, or (ii) anticipated bond proceeds shall when delivered be deemed and construed to be a ‘security’ within the meaning of Chapter 8, Investment Securities, of the Uniform Commercial Code (Chapter 785, Acts of the 60th Legislature, Regular Session, 1967), and shall constitute obligations which must be submitted to the attorney general under the provisions of Subsection (1) of this Section. Nonnegotiable purchase money notes, payable in installments, issued by the agency for the acquisition of land or fuel resources shall not be a security or obligation within the aforesaid provisions; such notes shall be secured by the properties being acquired, with the right in the agency to substitute collateral, and may be further secured by a pledge and undertaking to thereafter issue bonds or bond anticipation notes for their ultimate payment. Bond anticipation notes may be issued, with the same limitations and conditions prescribed herein for bonds, for any purpose for which the agency may issue bonds or for the purpose of refunding or paying off previously issued bond anticipation notes or nonnegotiable purchase money notes, and the agency may covenant with the purchaser of bond anticipation notes that the proceeds of one or more particular series of bonds will be used to provide for the ultimate payment or refunding of such notes.”

Sec. 4. All agreements heretofore executed on behalf of a municipal power agency for the purchase of land or fuel resources on an installment sale basis and all agreements by an agency for the sale of electric energy which have been approved by the attorney general, are hereby validated, ratified, and confirmed. All concurrent ordinances providing for the creation of a municipal power agency under the provisions of this Act which have been approved by the attorney general are hereby validated, ratified, and confirmed.

Sec. 5. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The amendment was read and was adopted.

RECORD OF VOTES

Senators Sherman and Snelson asked to be recorded as voting “Nay” on the adoption of the amendment.

Senator Clower offered the following amendment to the bill:

Amend Senate Bill No. 360 by striking all above the enacting clause and substituting the following:

**A BILL TO BE ENTITLED
AN ACT**

Relating to powers, duties, and financing of certain entities providing certain electric facilities; validating certain actions of those entities; amending Sections 2(4), 4(2), and 4a(o) and (r), Chapter 166, Acts of the 63rd Legislature, Regular Session, 1973, as amended (Article 1435a, Vernon's Texas Civil Statutes).

The amendment was read and was adopted.

The bill as amended was passed to engrossment.

RECORD OF VOTES

Senators Sherman and Snelson asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

SENATE BILL 360 ON THIRD READING

Senator Moore moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 360 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 2.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Traeger, Truan, Williams.

Nays: Sherman, Snelson.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 2.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Traeger, Truan, Williams.

Nays: Sherman, Snelson.

MEMORIAL RESOLUTIONS

S.R. 141 - by Adams: Memorial resolution for Fred Anders.

S.R. 142 - by Adams: Memorial resolution for Robin Lee Hooper.

S.R. 145 - by Lombardino: Memorial resolution for Mrs. Charlotte Osborn Barrett.

WELCOME AND CONGRATULATORY RESOLUTIONS

S.R. 143 - by Clower: Extending welcome to John McCartt.

S.R. 144 - by Clower: Extending welcome to Rev. Earl Little.

S.R. 146 - by Ogg: Extending welcome to Northbrook High School Government classes.

ADJOURNMENT

On motion of Senator Aikin the Senate at 12:10 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

SIXTEENTH DAY

(Wednesday, February 9, 1977)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

A quorum was announced present.

Father Richard E. McCabe, St. Theresa Catholic Church, Austin, offered the invocation as follows:

(From 14th Century Inscription Chester Cathedral)

Give me a good digestion, Lord
And also something to digest
Give me healthy body, Lord
And the sense to keep it at its best
Give me a healthy mind, O Lord
To keep the good and pure in sight
Which seeing sin is not appalled
But finds a way to set it right
Give me a mind that is not bored
That does not whimper, whine
or sigh:
Don't let me worry overmuch
About that funny thing called "I"